

A PATH FORWARD Steven P. Dinkin

Imagining Justice Ginsburg's last act: Telling citizens to vote

The untimely death of Supreme Court Justice Ruth Bader Ginsburg provides a timely reminder of something many of us seem to forget: Elections have consequences.

Since Ginsburg's passing from pancreatic cancer Sept. 18, a stream of much-deserved tributes has poured in. She is remembered primarily for her work as a fair-minded jurist and a relentless champion of women's rights.

Her "radical project" was to defy and dismantle the institutionalized prejudices that put men and women on different paths — a project that Ginsburg always viewed as incomplete, even as timeworn barriers have continued to fall.

Ginsburg is also remembered for her personal qualities, among them a huge heart, a formidable intellect and a keen sense of humor. She was known as a consensus builder. When asked what he thought of

Ginsburg, his liberal colleague, the late Supreme Court Justice Antonin Scalia, a staunch conservative, famously said, "What's not to like?" (He added, with a laugh, "except her views of the law, of course.") The two jurists were unlikely friends who knew how to welcome debate and embrace differences.

In 2013, the Supreme Court struck down a central provision of the 1965 Voting Rights Act, requiring certain municipalities to clear, in advance, any changes to election practices and procedures because of their histories of discriminating against Black voters.

It was a 5-4 vote, and Ginsburg penned a blistering dissent. She issued a call to arms: that our country must be steadfast in its protection of voting rights for all. A law student so admired Ginsburg's writing that she dubbed her "Notorious RBG." The name stuck, propelling Ginsburg

to icon status. Her judicial robe and signature collars became a favorite Halloween costume.

I imagine Ginsburg giving our country a swift kick in the pants on her way out — all 5 feet, 1 inch and 100 pounds of her.

In her quiet but powerful voice, she is telling all of us to get out and vote. Because our record as a country is lamentable, with just over half of our citizens voting in presidential elections since the 1960s. With a 55 percent turnout in 2016, the U.S. ranked 26th among the 32 most highly developed, democratic countries in the world. Turnout in Belgium, Sweden and Denmark exceeds 80 percent.

People have many excuses for not voting. Often, it's because they believe that their vote doesn't matter, or that the system is rigged, or that decisions by politicians don't impact their lives. Or all of the above. Some nonvoters are

unimpressed by the candidates and resist voting for the "lesser of two evils."

Another excuse — "I didn't have time to vote" — is losing its truth as more states permit mail-in ballots and forward-thinking companies declare Nov. 3, Election Day, a work holiday.

I blame some of the inertia on our educational system, which in the 1960s began dropping civics from high school curricula.

Today, only nine states and the District of Columbia require one year of U.S. government or civics at the high school level. These courses teach important lessons, from the mechanics of government to the fragility of democracy to the need for civic engagement.

In his book about education in America, "Someone Has to Fail," Stanford University's David F. Labaree says schools abandoned their civic mission in favor of preparing a new genera-

tion of skilled workers.

Funding for civics and social studies classes disappeared as math and English were prioritized, in a belief that test scores in these subjects would predict college and workplace performance. That belief was erroneous.

In civics we learn that the American experiment succeeds, in part, because of our three co-equal branches of government, as set out in the Constitution: the judicial branch, the executive branch and the legislative branch. Justice Ginsburg was nominated to the Supreme Court in 1993 by President Bill Clinton. Her nomination was approved by the Senate in a 96-3 vote, with one abstention. It was a perfect demonstration of the mechanics of government at work.

During Ginsburg's tenure, the Supreme Court ruled on a broad range of matters that indeed affect the lives of everyday Ameri-

cans: from reproductive rights to marriage equality to environmental protections to "kitchen table" issues like health care affordability and workplace discrimination.

Pardon the civics lesson. But we the people determine the composition of the court making these decisions. It all starts with the person we elect as president.

As a champion of equality, Ruth Bader Ginsburg fought hard for our civil liberties — including the right of every person in this country to participate in the electoral process. So, no matter our views, we should all do the most American thing we can do this fall, in her honor: Get out and vote.

Dinkin is president of the National Conflict Resolution Center, a San Diego-based group working to create solutions to challenging issues, including intolerance and incivility. To learn about NCRC's programming, visit ncrconline.com

CORNERS

FROM B1 son and other young people to grow up feeling their community offers positive opportunities.

"It doesn't happen overnight," she said, as her 9-year-old son waited in her car for her to finish painting.

Over the last 10 years, organizations and residents have been trying to take ownership of the area, unofficially rechristening it the "Four Corners of Life."

Though crime around the neighborhood has not disappeared, community efforts are paying off, they say. The area is attracting artists, some housing development and an increased police presence that they hope is addressing homelessness at the intersection.

Lincoln Park resident Andrea Hetheru gets a little emotional talking about the changes she sees when driving past the four corners.

The 16-year resident said that late last year the area was prone to illegal dumping and was a hot spot for drug use and homeless encampments. Now, it's nothing like that.

The mural, the absence of trash and illicit activity, and the installation of small lights on trees are little signs that things are changing, she said. But there is still a lot of work ahead.

"If I compare it to how it has been in the last year, I feel like I'm in heaven. But if I compare it to what I think it should look like, it's not even close," Hetheru said.

On a recent day, cars drove up and down the main thoroughfare while customers bought food at a taco stand at the corner. People pumped gas at the Arco station and, across the street, a man sat in his lowrider playing music in front of the Green Cat Liquors store. A woman and her children walked by and looked at the mural.

A history of gang violence

The intersection of Imperial and Euclid avenues in Lincoln Park is not in the center of southeast San Diego. But from the late 1980s into the 1990s it was viewed as a focal point where territories of various rival gangs converged.

Back then, at least 35

Activists continue work to beautify southeast San Diego's 'Four Corners'

The corners of Euclid and Imperial avenues were known as a hotbed for gang violence decades ago, but community members say there's less gang crime, though drug use and homelessness are challenges.



Rape totals include rape attempts. Data show crime totals, reported by the San Diego Police Department, for two census block groups in Lincoln Park that are connected to the "four corners" area, south of Imperial Ave., west of South Euclid Ave., north of Logan Ave. and east of I-805.

Sources: Nextzen; OpenStreetMap; San Diego Association of Governments

street gangs were operating in the neighborhoods of Encanto, Skyline, Paradise Hills, Valencia Park, Lincoln Park and Emerald Hills, according to a 1988 San Diego Union article.

That year, a police officer was killed during a foot chase with local gang members. In 2003, two women were killed in the crossfire between rival gangs in Lincoln Park. In 2010, the violence gained national attention and a Lincoln Park gang was featured in the History Channel's "Gangland" show.

Residents still are unsure about who coined the "Four Corners of Death" nickname, but it stuck.

Today, crime records paint a mixed picture of progress. There are fewer murders and violent gang activities, residents say, but less serious crimes persist.

Two census block groups — small geographic areas inside cities and counties — connect to the four corners intersection, creating a square south of Imperial Avenue, west of South Euclid Avenue, north of Logan Ave-

due and east of Interstate 805. According to data reported by the San Diego Police Department, a total of 1,600 crimes were reported in the area from 2013 through 2019. Overall crime has increased over the past seven years by about 33 percent, with nearly 300 incidents last year, though most were nonviolent offenses, such as fraud, theft, vandalism, embezzlement and malicious mischief.

'Peace in Southeast'

Nearly nine years ago, 100 community members and leaders stood at Imperial and Euclid avenues holding signs that read, "Peace in Southeast," and "Guns kill dreams."

There had been an increase in gang-related shootings in the area in 2011 and the residents were trying to reclaim their community. They began the push to rename the four corners.

The nonprofit Paving Great Futures was one of the groups launching a still-annual celebration called the Four Corners of Life Cel-

ebration, to help dispel the neighborhood's negative reputation. Armand King, the organization's chief operating officer, grew up in the area.

"I don't need our kids walking through the neighborhood knowing 'I live in the Four Corners of Death,'" King said.

He said there is no reason the nickname should have stuck around as long as it did, but it shows how the community was overlooked for many years. He said the negative name has depressed investment and development near the four corners.

Local housing developer Robert Ito has experienced that firsthand.

Ito, who grew up in Encanto, recently lost money on a housing project near the four corners after an investor made a site visit and saw people sitting near the intersection, drinking and doing drugs.

It said it became clear to him the community needs to focus on cleaning up and investing in the neighborhood themselves.

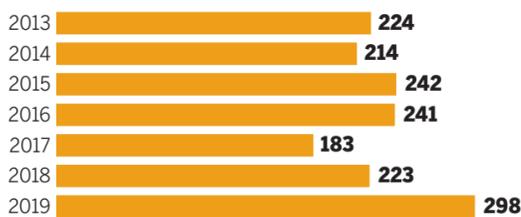
That could be challenging. U.S. Census Bureau data for 2018 show more than half the 860 households in the area have annual incomes below \$30,000. Another 42 percent have incomes between \$30,000 and \$99,000.

The population in the Lincoln Park census blocks is younger compared with the rest of the county, with nearly 60 percent under the age of 35. Less than half the county's population is under 35.

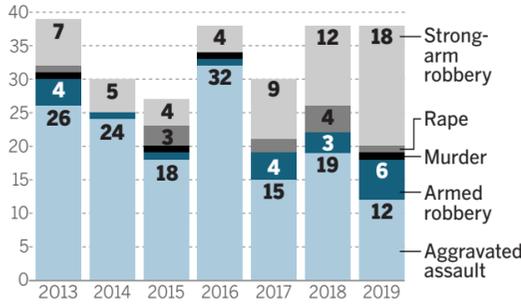
Of the 1,800 area residents who are 25 and older, less than 6 percent have bachelor's degrees or a higher level of education. There's also a higher concentration of racial minorities in those two census blocks than in the entire city. More than 60 percent of the 3,450 residents are Hispanic; nearly 30 percent are Black, 8 percent are Asian and 3 percent are White.

Nearly 1 in 3 residents were born outside the United States, census data show.

Violent and nonviolent crimes



Violent crimes by type



MICHELLE GUERRERO & MICHELLE GILCHRIST U-T

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Revitalizing image

The area was once

state legislators to set aside the popular vote and exercise their power to choose a slate of electors directly.

The longer Trump succeeds in keeping the vote count in doubt, the more pressure legislators will feel to act before the safe-harbor deadline expires."

Maybe the election will be clean and quickly decisive — one way or the other — and, in retrospect, the notion of a constitutional crisis will have seemed far-fetched.

If not, batten down the hatches.

Tweet of the Week

Goes to Ron Nehring (@RonNehring), former chairman of the California and San Diego GOP, who has a more sanguine outlook.

"The election is not rigged. There will be a smooth transition or continuation of power. Someone will see somebody along the way. Very common. Happens all the time. We know how to do elections. Now, let's get on with it."

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SMOLENS

FROM B1

Just days after the alert was issued, the president made his latest declaration — again without any supporting evidence — that widespread use of mail ballots will result in massive election fraud on Nov. 3.

He went further this time and refused to commit to a peaceful transfer of power should the vote go against him.

The agencies are particularly concerned that long-delayed vote counts due to a huge increase in mail ballots across the nation will create a void that could be filled with evil acts.

"Foreign actors and cybercriminals could exploit the time required to certify and announce elections' results by disseminating disinformation that includes reports of voter suppression, cyberattacks targeting election infrastructure, voter or ballot fraud, and other problems intended to convince the public of the elections' illegitimacy," the FBI and

cybersecurity agency said.

While his methods may differ, Trump has sought to sow seeds of doubt about the security and validity of mail ballots. He raised the specter of an election rigged against him long before a vote had been cast. It would be a surprise for him not to continue to do so during post-election vote counts.

This comes in the context of national polls and surveys in some swing states that have former Vice President Joe Biden leading the incumbent.

Research has repeatedly shown that neither mail ballots nor in-person voting has been subject to widespread, systematic fraud. FBI Director Christopher Wray, a Trump appointee, emphasized that in testimony to Congress on Thursday.

He noted there still have been relatively rare, isolated cases of ballot manipulation. The Justice Department last week said it was investigating nine discarded ballots cast by military service members in Pennsylvania, seven of which were said to be votes for Trump.

California and a handful of other states have relied heavily — in some cases exclusively — on mail ballots for years, and residents are accustomed to close races not being determined for days or weeks because of late-arriving ballots.

That's not the case with other states, where absentee voting usually is restricted, but is being dramatically broadened this year because of safety concerns amid the coronavirus pandemic. Voting by mail on a big scale and California-like delays in election tallies will be new experiences.

The federal alert, along with Trump's relentless accusations of fraud, come on top of concern about whether the U.S. Postal Service will be up to the task of delivering all those mail ballots before deadlines. Over the summer, the president was clear that his opposition to USPS funding was linked to his desire to diminish voting by mail.

If that wasn't enough to raise anxiety, poor vote-counting performances led to confusion in some states during the primaries, while

hundreds of thousands of ballots went uncoun-

tered. Trump's end game with pre-emptive election-fraud claims would seem to be to remain in the White House no matter the election results. His refusal to say he would concede if the election doesn't go his way points in that direction.

Some GOP officials have worried about mail voting being discouraged because a lot of Republicans regularly use mail ballots. In the past, Republicans and Democrats have been fairly even in using mail ballots.

But that appears to be changing in this election, according to a study conducted by UC San Diego, UC Riverside and the University of Southern California.

In the spring and summer of this year, researchers found "a significantly greater preference for mail, or absentee, ballots among Democrats than among Republicans," according to a release from UC San Diego.

Ballot requests nationwide for the November election show the trend is continuing.

"A serious partisan

divide has opened up on preferences for voting by mail and has grown from a gap to a gulf over the past several months," said Thad Kousser, a UC San Diego professor of political science and senior author of the study.

We'll find out where all this ends up — eventually. Both Republicans and Democrats are gearing up for post-election lawsuits. Meanwhile, Barton Gellman, writing in The Atlantic, recently presented a jarring scenario regarding the Electoral College.

"We are accustomed to choosing electors by popular vote, but nothing in the Constitution says it has to be that way," he said, citing Article II.

"According to sources in the Republican Party at the state and national levels, the Trump campaign is discussing contingency plans to bypass election results and appoint loyal electors in battleground states where Republicans hold the legislative majority."

"With a justification based on claims of rampant fraud, Trump would ask